

DebtEd, AwCNF, APPEAL

**United States Bankruptcy Court
District of Hawaii (Honolulu)
Bankruptcy Petition #: 12-01775**

Date filed: 09/05/2012

Assigned to: Bankruptcy Judge Robert J. Faris
Chapter 13
Voluntary
Asset

Debtor

Eugene Francis Herschelman
P.O. Box 75217
Honolulu, HI 96836
HONOLULU-HI
818.206.1146
SSN / ITIN: xxx-xx-9303

represented by **Eugene Francis Herschelman**
PRO SE

Trustee

Howard M.S. Hu
1132 Bishop Street, Suite 301
Honolulu, HI 96813
(808) 526-3083
Tax ID / EIN: prf

U.S. Trustee

Office of the U.S. Trustee
1132 Bishop Street, Suite 602
Honolulu, HI 96813-2830
808-522-8150

Filing Date	#	Docket Text
09/05/2012	(1 pg)	1 Chapter 13 Petition Received. Filing Fee \$ 281. Government Proofs of Claim generally due by 3/4/2013. Chapter 13 Plan due 9/19/2012. Credit Counseling Certificate due 9/19/2012. Chapter 13 Statement of Current Monthly Income and Disposable Income Calculation due 9/19/2012. Schedule A-J due 9/19/2012. Statement of Financial Affairs due 9/19/2012. Summary of Schedules due 9/19/2012. Statistical Summary of Certain Liabilities and Related Data due 9/19/2012. Incomplete Filings due by 9/19/2012. (LC) (Entered: 09/05/2012)
09/05/2012	(2 pgs)	2 Meeting of Creditors and Appointment of Trustee Howard M.S. Hu, with 341(a) meeting to be held on 10/11/2012 at 09:30 AM at US Trustee Meeting Room, 1132 Bishop Street, Suite 606, Honolulu, HI 96813. Proofs of Claim due by 01/09/2013. Deadline to File Complaint to Determine Dischargeability of Certain Debts: 12/10/2012. Confirmation hearing to be held on 11/15/2012 at 09:40 AM at Courtroom, 1132 Bishop Street, Suite 250, Honolulu, HI 96813. (Entered: 09/05/2012)

09/05/2012	2 docs (23 pgs)	<u>3</u>	Chapter 13 Voluntary Petition, Without All Required Schedules/Statements – See Docket Entry # 1 For Documents Due. (LC) (Entered: 09/05/2012)
09/05/2012	(1 pg)	<u>4</u>	Motion for Exemption from Credit Counseling or Debtor Education. Eugene Francis Herschelman. (LC) (Entered: 09/05/2012)
09/05/2012		<u>5</u>	Receipt of Chapter 13 Filing Fee – \$281.00 by LC. Receipt Number 00136520. (CashRegs) (Entered: 09/05/2012)
09/06/2012	(1 pg)	<u>6</u>	<i>[The entire order in this matter is set forth in this docket entry. No document is attached.]</i> Order Denying Motion for Exemption from Credit Counseling Requirement (related document: <u>4</u> Motion for Exemption from Credit Counseling). The debtor has filed a motion for an exemption from the pre-bankruptcy credit counseling requirement but has not provided facts to support a finding of incapacity as defined in sec. 109(h)(4) of the Bankruptcy Code. Therefore, the motion is DENIED and the case is subject to dismissal. SO ORDERED. /s/Robert J. Faris, United States Bankruptcy Judge. (Entered: 09/06/2012)
09/07/2012	(5 pgs)	<u>7</u>	BNC Certificate of Service – Notice of Bankruptcy Case, Meeting of Creditors and Deadlines (related document(s): <u>2</u>) Notice Date 09/07/2012. (Admin.) (Entered: 09/07/2012)
09/07/2012	(7 pgs)	<u>8</u>	BNC Certificate of Service – Chapter 7/13 Notice of Responsibilities (related document(s): <u>3</u>) Notice Date 09/07/2012. (Admin.) (Entered: 09/07/2012)
09/07/2012	(3 pgs)	<u>9</u>	Deficiency Notice – Order to Satisfy Petition Filing Requirements and Notice of Intent to Dismiss Case under 11 USC sec 109(g)(1); BNC Certificate of Service (related document(s): <u>1</u>) Notice Date 09/07/2012. (Admin.) (Entered: 09/07/2012)
09/08/2012	(3 pgs)	<u>10</u>	BNC Certificate of Service – Clerk's Notice of Docket Entry (related document(s): <u>6</u>) Notice Date 09/08/2012. (Admin.) (Entered: 09/08/2012)
09/18/2012	(1 pg)	<u>11</u>	Motion to Extend Time to File Case Opening Documents . Filed by Eugene Francis Herschelman . (LL) (Entered: 09/18/2012)
09/18/2012	(1 pg)	<u>12</u>	Certificate of Service . Filed by Eugene Herschelman . (Related document(s): <u>11</u>). (LL) (Entered: 09/18/2012)
09/18/2012	(1 pg)	<u>13</u>	<i>[The entire order in this matter is set forth in this docket entry. No document is attached.]</i> ORDER GRANTING MOTION TO EXTEND TIME TO FILE DOCUMENTS (related document: <u>11</u>). The deadline is extended to <u>October 1, 2012</u> for filing Schedules A–J, Statement of Financial Affairs, Chapter 13 Plan and Chapter 13 Statement of Current Monthly Income and Disposable Income Calculation. IT IS FURTHER ORDERED that failure to file these documents by the extended deadline will result in dismissal of the case without further notice. Moreover, the Debtor and Joint Debtor, if any, will be barred from filing a subsequent bankruptcy petition for 180 days after the date that the dismissal order is entered, pursuant to sec. 109(g)(1). SO ORDERED. /s/ ROBERT J. FARIS, United States

			Bankruptcy Judge. (Entered: 09/18/2012)
09/18/2012		14	<p>Certificate of Service. I certify that the document Clerk's Notice Re: Order Granting Motion to Extend Time to File Documents was served by first class mail postage prepaid on Eugene Francis Herschelman, P.O. Box 75217, Honolulu, HI 96836 on the date of this entry. /s/D. Makabe.</p> <p><i>This is a text entry only. No document is attached.</i></p> <p>(related document(s):<u>13</u>) (DM) (Entered: 09/18/2012)</p>
09/19/2012	(20 pgs)	<u>15</u>	Schedules A – J, Summary of Schedules, Statistical Summary of Certain Liabilities and Related Data. (JN) (Entered: 09/19/2012)
09/19/2012	(11 pgs)	<u>16</u>	Statement of Financial Affairs. Filed by Eugene Francis Herschelman. (Related document(s): <u>1</u>). (JN) (Entered: 09/19/2012)
09/19/2012	(8 pgs)	<u>17</u>	Chapter 13 Statement of Current Monthly Income and Disposable Income Calculation (Form 22C). (Related document(s): <u>1</u>). (JN) (Entered: 09/19/2012)
09/19/2012	(7 pgs)	<u>18</u>	Chapter 13 Plan (Plan Dated: 9/18/2012) (Debtor(s) must serve plan and promptly file certificate of service). (JN) (Entered: 09/19/2012)
09/20/2012	(3 pgs)	<u>19</u>	BNC Certificate of Service – Clerk's Notice of Docket Entry (related document(s): <u>13</u>) Notice Date 09/20/2012. (Admin.) (Entered: 09/20/2012)
09/24/2012	(35 pgs)	<u>20</u>	Motion to Extend Automatic Stay; Declaration in Support of Motion; Declaration of Teresa J. Moore; Exhibits 1–8; Certificate of Service . Filed by Eugene Francis Herschelman . (DM) (Entered: 09/24/2012)
09/28/2012	(60 pgs)	<u>21</u>	Objection to Debtor's Motion to Extend Automatic Stay . Filed by Respondent Louden, LLC. (Related document(s): <u>20</u> Motion to Extend Automatic Stay filed by Eugene Francis Herschelman). (Applegate, Douglas) (Entered: 09/28/2012)
09/28/2012	(2 pgs)	<u>22</u>	Certificate of Service <i>Re: Objection to Debtor's Motion to Extend Automatic Stay</i> . Filed by Douglas Allen Applegate. (Applegate, Douglas) **Modified on 9/28/2012 to add relation to <u>21</u> ** (DM). (Entered: 09/28/2012)
10/01/2012	(2 pgs)	<u>23</u>	Notice of Hearing . Filed by Eugene Herschelman . Hearing for: <u>20</u> Motion to Extend Automatic Stay. Hearing scheduled for 10/3/2012 at 01:30 PM at Courtroom, 1132 Bishop Street, Suite 250, Honolulu, HI 96813. (LL) (Entered: 10/01/2012)
10/01/2012	(5 pgs)	<u>24</u>	Amended Certificate of Service . Filed by Eugene Herschelman. (Related document(s): <u>20, 23</u>). (LL) (Entered: 10/01/2012)
10/01/2012	(2 pgs)	<u>25</u>	Objection to Motion to Extend Automatic Stay . Filed by Creditor AAO of the Windsor. (Related document(s): <u>20</u> Motion to Extend Automatic Stay filed by Eugene Francis Herschelman). (Morris, John) (Entered: 10/01/2012)
10/01/2012		<u>26</u>	

	(7 pgs)		Memorandum <i>in Support of Objection to Motion to Extend Automatic Stay</i> . Filed by John A. Morris. (Related document(s): 25). (Morris, John) (Entered: 10/01/2012)
10/01/2012	6 docs (14 pgs)	27	Declaration of Russell H. Ando <i>in Support of Objection to Motion to Extend Automatic Stay</i> . Filed by John A. Morris. (Related document(s): 25 , 26). (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E) (Morris, John) (Entered: 10/01/2012)
10/01/2012	(4 pgs)	28	Certificate of Service . Filed by John A. Morris. (Related document(s): 25 , 26 , 27). (Morris, John) (Entered: 10/01/2012)
10/01/2012	(65 pgs)	29	John N. Spadaro, Trustee of the John N. Spadaro Revocable Living Trust dated January 10, 2011's Opposition to the Debtors Motion to Extend Automatic Stay, and Memorandum in Support of Party-in-Interests Cross-Motion for a Declaration That Real Property 1088 Bishop Street, Suite 202, Honolulu, Hawaii is not Property of the Estate; Exhibits A to G . Filed by Interested Party John N. Spadaro. (Related document(s): 20 Motion to Extend Automatic Stay filed by Eugene Francis Herschelman). (Guben, Jerrold) (Entered: 10/01/2012)
10/03/2012		30	Minutes of Preliminary Hearing held on October 3, 2012 – Disposition: The motion is granted. The court to prepare the order. Appearances: Douglas Applegate (Louden, LLC), appearing telephonically; Les Itzkowitz (special appearance for debtor); David Rosen (PNC Bank); Russell Ando (AOAO The Windsor); Jerrold Guben / Jeffery Flores (John Spadaro). (related document(s): 20 Motion to Extend Automatic Stay) (courtrm, nm). **Modified on 10/5/2012 to correct disposition of the motion from being granted to being DENIED. See CORRECTED MINUTE ENTRY dkt. #32** (OV). (Entered: 10/03/2012)
10/04/2012	(1 pg)	31	PDF with attached Audio File. Court Date & Time [10/3/2012 1:43:34 PM]. File Size [4148 KB]. Run Time [00:17:17]. (admin). (Entered: 10/04/2012)
10/05/2012		32	CORRECTION TO MINUTE ENTRY DOCKET #30 – Motion to Extend the Automatic Stay held on 10/3/12 – DISPOSITION is corrected to state the Motion is DENIED. The Court will generate the order. (related document(s): 20 Motion to Extend Automatic Stay, 30 Minutes – Virtual) (OV) (Entered: 10/05/2012)
10/05/2012	(1 pg)	33	Certificate of Credit Counseling . (DM) (Entered: 10/05/2012)
10/05/2012	2 docs (2 pgs)	34	Order Denying Motion to Extend Automatic Stay (Related Doc # 20) . Date of Entry: 10/5/2012. (DM) (Entered: 10/05/2012)
10/05/2012	2 docs (2 pgs)	35	Amended Order Denying Motion to Extend Automatic Stay (Related Doc # 20 , 34) . Date of Entry: 10/5/2012. (MBD) (Entered: 10/05/2012)
10/07/2012	(3 pgs)	36	BNC Certificate of Service – Notice of Entry of Order or Judgment (related document(s): 34) Notice Date 10/07/2012. (Admin.) (Entered: 10/07/2012)

10/07/2012	(3 pgs)	<u>37</u>	BNC Certificate of Service – Notice of Entry of Order or Judgment (related document(s): <u>35</u>) Notice Date 10/07/2012. (Admin.) (Entered: 10/07/2012)
10/07/2012	(3 pgs)	<u>38</u>	BNC Certificate of Service (related document(s): <u>34</u>) Notice Date 10/07/2012. (Admin.) (Entered: 10/07/2012)
10/07/2012	(3 pgs)	<u>39</u>	BNC Certificate of Service (related document(s): <u>35</u>) Notice Date 10/07/2012. (Admin.) (Entered: 10/07/2012)
10/10/2012	17 docs (132 pgs)	<u>40</u>	Motion for Relief from Automatic Stay re: John N. Spadaro, Trustee of the John N. Spadaro Revocable Living Trust dated January 10, 2011 v. Honolulu Financial Partners LLC, Civil No. 11-1-2925-11 (First Circuit, State of Hawaii) <i>for Order Nullifying the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1) and Declaration that Automatic Stay Does Not Apply; Memorandum in Support of Motion.</i> Filed by Jerrold K. Guben on behalf of John N. Spadaro. Fee Amount \$176 (Attachments: # <u>1</u> Cover Sheet (Relief from Stay) # <u>2</u> Exhibit(s) A# <u>3</u> Exhibit(s) B# <u>4</u> Exhibit(s) C# <u>5</u> Exhibit(s) D# <u>6</u> Exhibit(s) E# <u>7</u> Exhibit(s) F# <u>8</u> Exhibit(s) G# <u>9</u> Exhibit(s) H# <u>10</u> Exhibit(s) I# <u>11</u> Exhibit(s) J# <u>12</u> Exhibit(s) K# <u>13</u> Exhibit(s) L# <u>14</u> Exhibit(s) M# <u>15</u> Exhibit(s) N# <u>16</u> Exhibit(s) O) (Guben, Jerrold) (Entered: 10/10/2012)
10/10/2012			Receipt of filing fee for Motion for Relief From Automatic Stay(12-01775) [motion,mot600] (176.00). Receipt No. 1389850. Fee amount \$ 176.00. (U.S. Treasury) (Entered: 10/10/2012)
10/10/2012	2 docs (30 pgs)	<u>41</u>	Ex Parte Motion to Shorten Time for <u>40</u> Motion for Relief From Automatic Stay, . Filed by Jerrold K. Guben on behalf of John N. Spadaro. (Attachments: # <u>1</u> Declaration of Jerrold K. Guben; Exhibits A and B) (Guben, Jerrold) (Entered: 10/10/2012)
10/10/2012	(1 pg)	<u>42</u>	Certificate of Service . Filed by Jerrold K. Guben. (Related document(s): <u>40</u> , <u>41</u>). (Guben, Jerrold) (Entered: 10/10/2012)
10/11/2012		<u>43</u>	<p style="color: red;"><i>[The entire order in this matter is set forth in this docket entry. No document is attached.]</i></p> <p>Order Granting Motion to Shorten Time (related document(s): <u>40</u>,<u>41</u>). The court will hear the Motion to Nullify the Automatic Stay on an expedited basis at the United States Bankruptcy Court, 1132 Bishop Street, Suite 250L, Honolulu, Hawaii on 10/22/2012 at 10:30 a.m. Responsive memoranda due: 10/19/2012 by 12:00 noon. Reply memoranda due: No Reply. <u>Movant shall immediately give notice, at a minimum of 10 days, of the hearing and the briefing deadlines to all parties in interest entitled to notice and not receiving electronic notice.</u> SO ORDERED. /s/Robert J. Faris, United States Bankruptcy Judge. (Entered: 10/11/2012)</p>
10/11/2012	(2 pgs)	<u>44</u>	Notice of Hearing . Filed by Jerrold K. Guben. Hearing for: <u>40</u> Motion for Relief From Automatic Stay. Hearing scheduled for 10/22/2012 at 10:30 AM at Courtroom, 1132 Bishop Street, Suite 250, Honolulu, HI 96813. (Guben, Jerrold) (Entered: 10/11/2012)
10/11/2012	(4 pgs)	<u>45</u>	Certificate of Service . Filed by Jerrold K. Guben. (Related document(s): <u>44</u>). (Guben, Jerrold) (Entered: 10/11/2012)
10/11/2012		<u>46</u>	

	2 docs (6 pgs)		Notice of Appeal [USDC No. 12-00550] of Amended Order Denying Motion to Extend Automatic Stay, filed on 10/11/2012 by Debtor Eugene Francis Herschelman. Fee Amount \$0.00. (related document(s): <u>35</u> Amended Order on Motion to Extend Automatic Stay). (JN) (Entered: 10/11/2012)
10/11/2012	(7 pgs)	<u>47</u>	Statement of Election for Appeal to be Heard by District Court Filed by Debtor Eugene Francis Herschelman (related document(s): <u>46</u> Notice of Appeal (BK)). (JN) (Entered: 10/11/2012)
10/11/2012	(2 pgs)	<u>48</u>	Certificate of Service. Filed by Eugene Francis Herschelman. (Related document(s): <u>46, 47</u>). (JN) (Entered: 10/11/2012)
10/11/2012	(15 pgs)	<u>49</u>	Application to Proceed in District Court Without Prepaying Fees or Costs. Filed by Eugene Francis Herschelman (related document(s): <u>46, 47</u>). (JN) (Entered: 10/11/2012)
10/12/2012	(27 pgs)	<u>50</u>	Referral of Appeal to USDC (related document(s): <u>46</u> Notice of Appeal (BK)) (DM) (Entered: 10/12/2012)
10/13/2012	(4 pgs)	<u>51</u>	BNC Certificate of Service – Notice of Requirements for Record on Appeal (related document(s): <u>46</u>) Notice Date 10/13/2012. (Admin.) (Entered: 10/13/2012)
10/13/2012	(6 pgs)	<u>52</u>	BNC Certificate of Service – Notice of Appeal (related document(s): <u>46</u>) Notice Date 10/13/2012. (Admin.) (Entered: 10/13/2012)
10/15/2012	(23 pgs)	<u>53</u>	<i>Supplement to Memorandum in Support to Motion for Order Nullifying the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1) and Declaration that Automatic Stay Does Not Apply; Exhibits A and B.</i> Filed by Jerrold K. Guben. (Related document(s): <u>40</u>). (Guben, Jerrold) (Entered: 10/15/2012)
10/15/2012	(1 pg)	<u>54</u>	Certificate of Service . Filed by Jerrold K. Guben. (Related document(s): <u>53</u>). (Guben, Jerrold) (Entered: 10/15/2012)
10/19/2012	4 docs (81 pgs)	<u>55</u>	Opposition to Motion to Nullify Automatic Stay Under Rule of Necessity and Request of Continuance; Declaration of Teresa J. Moore. Filed by Debtor Eugene Francis Herschelman. (Related document(s): <u>40</u> Motion for Relief From Automatic Stay filed by John N. Spadaro). (Attachments: # <u>1</u> Exhibits 01 – 06# <u>2</u> Exhibits 07 – 14# <u>3</u> Certificate of Service). (JN) (Entered: 10/19/2012)
10/19/2012	(3 pgs)	<u>56</u>	Opposition to Debtor's Request for Continuance of Hearing Re: Motion for Order Nullifying the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1) and Declaration that Automatic Stay Does Not Apply . Filed by Interested Party John N. Spadaro. (Related document(s): <u>55</u> Response filed by Eugene Francis Herschelman). (Guben, Jerrold) **Modified on 10/19/2012 to add relation to document no. <u>40</u> ** (LL). (Entered: 10/19/2012)
10/22/2012	(1 pg)	<u>57</u>	Certificate of Service . Filed by Jerrold K. Guben. (Related document(s): <u>56</u>). (Guben, Jerrold) (Entered: 10/22/2012)
10/22/2012		<u>58</u>	Minutes of Hearing held on: 10/22/2012. (RF). Disposition: M/Annul the Automatic Stay (John Spadaro) – the motion is

			granted; a continuance is not warranted. Mr. Guben will submit the order. Appearances: Jerrold Guben/Jeffery Flores (movant); John Spadaro—movant; Leslie Iczkowitz (special appearance ibo debtor); by TELECONFERENCE CALL: Teresa Moore—interested party pro se. (related document(s): 40 Motion for Relief From Automatic Stay) (OV) (Entered: 10/22/2012)
10/22/2012	(1 pg)	59	Transcript Request . Filed by Jerrold K. Guben on behalf of John N. Spadaro. (Related document(s): 58). (Guben, Jerrold) (Entered: 10/22/2012)
10/22/2012		60	Statement Adjourning Meeting of Creditors. Section 341(a) meeting held and to be continued on 11/29/2012 at 11:30 AM at US Trustee Meeting Room, 1132 Bishop Street, Suite 606, Honolulu, HI 96813. (Hu, Howard) (Entered: 10/22/2012)
10/23/2012	(1 pg)	61	PDF with attached Audio File. Court Date &Time [10/22/2012 10:45:45 AM]. File Size [3516 KB]. Run Time [00:14:39]. (admin). (Entered: 10/23/2012)
10/25/2012	2 docs (15 pgs)	62	Transcript for Trial/Hearing on October 22, 2012. Transcriber Jessica Cahill, Phone Number 808-244-0776. <i>Remote electronic access to the transcript is restricted for 90 days after the date the transcript is filed.</i> Redaction Request due 11/15/2012. Redacted Transcript due 11/23/2012. Transcript Access Restriction Period ends 01/23/2013. (RE: related document(s) 58 Minutes – Virtual). (Cahill, Jessica) (Entered: 10/25/2012)
10/25/2012	(1 pg)	63	Trustee's Motion to Dismiss Case for Non—Appearance at Meeting of Creditors ; Notice of Hearing... Hearing scheduled for 12/6/2012 at 09:35 AM at Courtroom, 1132 Bishop Street, Suite 250, Honolulu, HI 96813. (Hu, Howard) (Entered: 10/25/2012)
10/25/2012	(1 pg)	64	Certificate of Service <i>for Motion & Notice of Hearing</i> . Filed by Howard M.S. Hu. (related document(s) 63 Trustee's Motion to Dismiss – 341). (Hu, Howard) (Entered: 10/25/2012)
10/26/2012	2 docs (4 pgs)	65	Order Regarding Motion for an Order Nullifying the Automatic Stay Pursuant to 11 U.S.C. Section 362(d)(1) and Declaration that Automatic Stay Does Not Apply (Re: John N. Spadaro, as Individual Capacity and as Trustee) (Related Doc # 40). Date of Entry: 10/26/2012. (JN) **Modified on 10/26/2012 to edit text** (JN). (Entered: 10/26/2012)
10/27/2012	(3 pgs)	66	BNC Certificate of Service – Notice of Filing of Transcript (related document(s): 62) Notice Date 10/27/2012. (Admin.) (Entered: 10/27/2012)
10/27/2012	(4 pgs)	67	BNC Certificate of Service (related document(s): 63) Notice Date 10/27/2012. (Admin.) (Entered: 10/27/2012)
10/28/2012	(3 pgs)	68	BNC Certificate of Service – Notice of Entry of Order or Judgment (related document(s): 65) Notice Date 10/28/2012. (Admin.) (Entered: 10/28/2012)
10/29/2012	(4 pgs)	69	Notice of Appearance by David B. Rosen and Request for Notice; Certificate of Service. Filed by David B. Rosen on behalf of PNC Bank, NA. (JN) **Modified on 10/29/2012 to add COS to

			text**(JN). (Entered: 10/29/2012)
10/30/2012	(1 pg)	<u>70</u>	Notice of Deficient Appeal (related document(s): <u>46</u> Notice of Appeal (BK)) (DM) (Entered: 10/30/2012)
10/30/2012		71	<p>Certificate of Service. I certify that the document Notice of Deficient Appeal was served by first class mail postage prepaid on Eugene Francis Herschelman, P.O. Box 75217, Honolulu, HI 96836 on the date of this entry. /s/D. Makabe.</p> <p><i>This is a text entry only. No document is attached.</i></p> <p>(related document(s):<u>70</u>) (DM) (Entered: 10/30/2012)</p>
10/31/2012	(1 pg)	<u>72</u>	Transcript Request . Filed by Miranda Tsai on behalf of John N. Spadaro. (Related document(s): 30 , 32). (Tsai, Miranda) (Entered: 10/31/2012)
11/01/2012	2 docs (3 pgs)	<u>73</u>	Motion for in REM Relief from Automatic Stay and Codebtor Stay re: 343 Hobron Lane, #404, Honolulu, HI 96815 . Filed by John A. Morris on behalf of AOAO of the Windsor. Fee Amount \$176 Objections due by 11/21/2012. (Attachments: # <u>1</u> Cover Sheet (Relief from Stay)) (Morris, John) **Modified on 11/1/2012 to add text (REM)** (DM). (Entered: 11/01/2012)
11/01/2012			Receipt of filing fee for Motion for Relief From Automatic Stay and Codebtor Stay(12-01775) [motion,mot606] (176.00). Receipt No. 1403595. Fee amount \$ 176.00. (U.S. Treasury) (Entered: 11/01/2012)
11/01/2012	(10 pgs)	<u>74</u>	Memorandum in Support of Secured Creditors Association of Apartment Owners of The Windsor's Motion for In Rem Relief from Automatic Stay and Co-Debtor Stay. Filed by John A. Morris. (Related document(s): <u>73</u>). (Morris, John) (Entered: 11/01/2012)
11/01/2012	4 docs (10 pgs)	<u>75</u>	Declaration of John A. Morris in Support of Secured Creditors Association of Apartment Owners of The Windsor's Motion for In Rem Relief from Automatic Stay and Co-Debtor Stay. Filed by John A. Morris. (Related document(s): <u>73, 74</u>). (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C) (Morris, John) (Entered: 11/01/2012)
11/01/2012	(2 pgs)	<u>76</u>	Notice of Hearing Regarding Secured Creditors Association of Apartment Owners of The Windsor's Motion for In Rem Relief from Automatic Stay and Co-Debtor Stay. Filed by John A. Morris. Hearing for: <u>73</u> Motion for Relief From Automatic Stay and Codebtor Stay, <u>74</u> Memorandum, <u>75</u> Declaration. Hearing scheduled for 11/28/2012 at 01:30 PM at Courtroom, 1132 Bishop Street, Suite 250, Honolulu, HI 96813. (Morris, John) (Entered: 11/01/2012)
11/01/2012	(5 pgs)	<u>77</u>	Certificate of Service . Filed by John A. Morris. (Related document(s): <u>73, 74, 75, 76</u>). (Morris, John) (Entered: 11/01/2012)
11/01/2012	(3 pgs)	<u>78</u>	BNC Certificate of Service (related document(s): <u>70</u>) Notice Date 11/01/2012. (Admin.) (Entered: 11/01/2012)
11/05/2012	2 docs	<u>79</u>	Transcript for Trial/Hearing on October 3, 2012. Transcriber Jessica Cahill, Phone Number 808-244-0776. <i>Remote electronic access to</i>

	(18 pgs)		<i>the transcript is restricted for 90 days after the date the transcript is filed. Redaction Request due 11/26/2012. Redacted Transcript due 12/3/2012. Transcript Access Restriction Period ends 02/4/2013. (RE: related document(s) 30 Minutes – Virtual). (Cahill, Jessica) (Entered: 11/05/2012)</i>
11/06/2012	2 docs (15 pgs)	<u>80</u>	Notice of Appeal of Order Regarding Motion for an Order Nullifying the Automatic Stay Pursuant to 11 U.S.C. Section 362(d)(1) and Declaration that Automatic Stay Does Not Apply, filed on 11/6/2012 by Debtor Eugene Francis Herschelman . Fee Amount \$0.00. (related document(s): <u>65</u> Order on Motion For Relief From Automatic Stay). (DM) (Entered: 11/07/2012)
11/06/2012	(2 pgs)	<u>81</u>	Application to Proceed in District Court Without Prepaying Fees or Costs Filed by Eugene Francis Herschelman (related document(s) <u>80</u>). (DM) (Entered: 11/07/2012)
11/06/2012	(9 pgs)	<u>82</u>	Statement of Election for Appeal to be Heard by District Court; Certificate of Service Filed by Debtor Eugene Francis Herschelman (related document(s): <u>80</u> Notice of Appeal (BK)). (DM) (Entered: 11/07/2012)
11/06/2012	(2 pgs)	<u>83</u>	Certificate of Service . Filed by Eugene F. Herschelman. (Related document(s): <u>80</u> , <u>82</u>). (DM) (Entered: 11/07/2012)